

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

KEVIN BENNETT
ADC #139470

PLAINTIFF

V.

3:07CV00169 WRW/JTR

DAN LANGSTON,
Sheriff of Greene County, et al.

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. After careful review, the Court concludes that the Proposed Findings and Recommended Partial Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Pursuant to the screening function mandated by 28 U.S.C. § 1915A, Defendants Greene County and the Greene County Quorum Court are DISMISSED, WITHOUT PREJUDICE, because Plaintiff has failed to state claims against them.

2. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

3. Plaintiff shall PROCEED with his inadequate medical care and excessive force claims against Defendants Langston, Harvey, Dollars, John Doe Ryan, and John Doe T. J.

4. The Clerk is directed to prepare a summons for Defendants Langston, Harvey, and Dollars, and the United States Marshal is directed to serve the summons, the Complaint (docket

entry #2), the Amended Complaint (docket entry #5), and this Order upon them without prepayment of fees and costs or security therefor.¹

5. Plaintiff shall file, **within 120 days of the entry of this Order**, a “Motion for Service,” which contains the full names and service address for Defendants John Doe Ryan and John Doe T. J.

Dated this 11th day of January, 2008.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE

¹The Court requests that a **SEALED** Statement providing the last known private mailing address be filed for any of the Defendants who are no longer Greene County employees.